

Shipman's. The end of the road toward the volcano was on Crown land. Noble Muller and Noble Marsden held a private conversation (publicly expressed), and the House took a recess till 1:30.

#### Afternoon Session.

The committee re-assembled at 1:40 p.m., Rep. Baker in the chair.

Rep. Nawahi favored the item for the volcano road, but he thought \$18,000 was the amount which had been borrowed and not \$13,000. The road would be a good thing. If Peter Lee's road were bought and this road completed, a man could drive all the way from Hilo to Waiohine, which would be a great public benefit. The road would open up a great deal of land for homesteads, etc.

Rep. Lucas was opposed to appropriating ten cents for the volcano road, but he was willing to appropriate enough to pay the money that had been borrowed. Mr. Thurston had no right to borrow this money. That was what made the trouble in 1887. We had a Ministry here which would not do so. He was going to stand by them. There was no more "I am" business, but "we are" today. The volcano road was no use at all like the Punchbowl road. It was some private scheme. It ought to be cleaned out of the Appropriation Bill. As I understand, there are more lunas than workmen on the volcano road—pet chums of the ex-Minister—of the big-headed Minister. There goes Noble Cornwell—perhaps he's one of those who have got something out of it. When this Appropriation Bill was drafted there were two niggers in the fence. I don't believe there is any nigger in the fence now. The late Minister, the great "I am," who is not here now, thank God! thought it would be alright. I know some of these people who are laughing now don't like these remarks, but they suit me, and they suit the majority of this House. I am not as rich as most of the men in this House, but I have an honor and a principle in me, and I propose to stand by them. This Appropriation Bill wasn't got up by this present administration. They took it because it was handy. They are always jumping up and having things changed. Why shouldn't they be changed, we are on top now. This business of appropriating \$55,000 or \$60,000 is a dead, outright swindle, and the Finance Committee's report proves it. I don't know what the motions are, I came in late, but I move these people be paid.

Rep. Waipulani thought the road could be completed for \$36,000 if it were only 15 feet wide. He moved it pass at \$55,000, including the borrowed money.

Rep. Rickard concurred with the last speaker. Fifteen feet was wide enough, and as wide as the country could afford. He hoped the House would not vote any greater amount.

Rep. Kapahaele said the road would be of great benefit to the country. What was the use of bringing tourists here if we have no good roads. The question is whether \$55,000 will be enough. The member from Hilo says it will not be. I favor \$55,000.

Noble Muller said the appropriations in Section 3 made nearly \$2,000,000. The Postal Savings Bank would not bring in that amount.

Noble J. M. Horner had thought he would make quite a speech before dinner; now he had very little to say. This Legislature was not made up of old fogies. There were some who tried to block improvements, but fortunately they were not in the majority. How could we pay our debts if we made no improvements. This road would open up magnificent coffee lands, the best he had seen. Good sugar lands too he was told. We must increase our taxable values from fifty millions to a hundred millions. He saw a great deal of improved property in his mind's eye. No matter if \$55,000 were inserted in the bill, only fifteen or twenty thousand would be spent now that the Cabinet had Peter Lee backing them.

Rep. White thought \$55,000 too much, the worse half of the road being already built. If we make a large appropriation it will all be spent. It is like feeding pigs. No matter how much you will give them, they will get away with it. I am not in favor of paying the money borrowed. It will be a lesson to future Cabinets not to act in the same way if we refuse to pay this money. If these claims are paid, then the Likeliest funeral claims ought to be paid. The House should be careful not to appropriate too much money. He thought \$40,000 would be enough.

Noble Macfarlane had not intended to say anything more, but as Noble Horner had intimated that Peter Lee's offer was perfectly ridiculous (Noble J. M. Horner—I did not say so). He would add a word. The road had been incompetently built under an incompetent road supervisor and incompetent Minister. The pay roll was open to gross frauds, whether they had been perpetrated or not. He believed from the enormous sums expended, that gross frauds had been perpetrated. Thirty-five Hawaiians all sign by his mark simply, generally with no witnesses. Will any one believe that thirty-five Hawaiians taken at random in the district could sign his mark, and in another case signing his name as a witness. This is not an isolated case, but there are twenty or thirty more. These pay rolls are evidently stuffed, and fraudulent. I hoped these matters would come up in a proper manner before the House, but the ex-Minister saw fit to address his answer not to the House, but to a newspaper, and his friends chose to shut off debate.

Rep. Nawahi said the question before the House was not pay roll, but how we are going to spend to finish the road and so I say, Mr. Chairman, get up and put the question on the \$55,000.

Noble Baldwin would like to correct a misstatement made by Rep. White, with regard to what I said. I did not advocate paying these people, because they advanced their money in good faith. I do not think we ought to take that into account. If we do we shall get into hot water. The people who want the volcano road, should vote to pay these claims, and those who do not should vote, no.

Rep. Kahookano said this item had occupied the attention of the House all day. He observed a disposition in the House to spend a good deal of money on this road. Was this road really going to be of much use? It would benefit a few people but not the general public. As part of the road would cost about nothing to build, he would favor the motion to pass at \$55,000 including the borrowed money.

The Chairman stated there were eight motions before the House.

Rep. Rickard withdrew his motion but Noble Muller renewed it.

Noble Macfarlane intended to intro-

duce a resolution which would cover the ground.

Rep. Kauli asked permission to withdraw Rep. Lucas' motion.

Rep. White withdrew his motion.

The item passed at \$55,000.

To refund money advanced by Wilder & Co., etc., \$13,615.00.

Rep. Kauli said all that was before the House was the volcano road. This was a different matter and could not come up now. He was not in favor of paying the money back. They were foolish enough to let the late Minister have their money. Let them get it back the best way they can. These people have put their heads into a noose. Let them get it out the best way they can. The House can do as it pleases, but Kauli is not going to help them.

Reps. K. W. Wilcox and White opposed the item.

Rep. Kanealii favored paying the money.

Rep. Kahookano said this was not the proper place in the bill to insert this item.

Rep. Brown said he had heard some nonsense in his life, but never anything to equal that.

Rep. Nawahi moved the committee rise, Lost.

Rep. White said he wished to speak all night.

Noble Macfarlane asked what the hon. member's objection to the committee's rising was.

As Rep. White continued speaking members generally went out, and there being no quorum, the President resumed the chair, and the committee rose.

The House adjourned at 4:30 p.m.

#### Thursday, Sept. 18.

The House met at 10 a.m. Prayer by Chaplain.

Rep. Brown, before the reading of the minutes, moved that the report of the committee of the whole yesterday, recommending the appropriation of \$55,000 for the volcano road, be adopted. Carried, and ordered to be entered on yesterday's minutes, the House having had no quorum on adjournment. The minutes were then read and approved.

Noble Muller presented the unanimous report of the committee on the bill to create additional ports of entry at Kealahou, recommending that the bill be indefinitely postponed, as there was no necessity to justify the expense. Laid on the table to be considered with the bill.

Noble Burchard presented the unanimous report of the select committee on the military bill, submitting an amended bill which they recommend to pass. Laid on the table to be considered with the bill.

Noble Burchard read a first time a bill to provide \$5,000 for further expenses of the Legislature. On suspension of the rules passed to engrossment, to be read a third time Friday.

Minister Peterson read a first time his bill to declare certain lands to be Crown lands and part of the Royal domain.

Noble Macfarlane moved a resolution that a select committee of five be appointed to devise such measures as may be practicable to prevent the cutting of trees along the volcano road. Adopted.

Rep. Waipulani read a first and second time by title his bill to divide Honolulu into two taxation districts. He moved it be referred to the finance committee.

Noble Pua moved it be indefinitely postponed. The introducer had a good deal of cheek to come down from Kona and attempt to cut Honolulu district in two. If he wanted to divide up Kona the case would be different.

Rep. Waipulani contended he had a right to introduce any bill he deemed for the public benefit.

The bill was indefinitely postponed, 18 to 12, and a motion to reconsider lost.

Order of the day, second reading of a bill to open roads over the lands of those not benefited thereby. Considered section by section.

The first section passed.

Minister Peterson moved that the bill be referred to the committee on commerce, which had charge of other similar bills, as some provisions might conflict with other bills.

Rep. Brown thought the bill did not conflict with the provisions of any of those bills.

Rep. Kapahaele thought the bill would make a great deal of trouble.

That he could see clearly, although the provisions of the bill are not very plain. The bill is evidently brought in in the interest of people in the carting business. I move the bill be indefinitely postponed.

Rep. Cummings moved the bill be referred to the committee on commerce.

Noble Widemann—The hon. member from Molokai has put one case, I will put another. Suppose a man owns a kuleana running clear across the valley. What are the other poor people to do who live further up?

Referred to the committee on commerce.

Second reading of Bill 77, to license sale of beers and wines of low alcoholic strength. The majority report was read, recommending the passage of the bill with certain amendments. The minority report by Noble J. M. Horner and Rep. Knudsen recommended the indefinite postponement of the bill.

Rep. Rickard moved the bill be considered section by section.

Rep. Kanealii—The bill provided for the ruin of the people, the absorption of all their earnings, the increase of the police force, and courts. I now understand why all the members were so anxious to have all the district courts, police courts. It was in anticipation of the passage of this bill. It was all nonsense to limit the alcoholic strength to twenty per cent. Let a man take out a license under this bill, and the stuff he sells will be as strong as lion. This bill will destroy the Hawaiian race, and wipe it out, and I move it be indefinitely postponed. People can get all the liquor they want now, but this bill assumes that they don't get enough. I see people walking around with bottles in the hip pocket, the breast pocket, and in their hands—they seem to have no trouble in getting liquor. The saloons are well equipped. I don't approve of this tendency to break down all restraints. This bill is the younger brother of the Sunday law. If both pass, Sunday will be given up to drunkenness.

Noble Marsden admired the imagination of the last speaker. Everything he said was imaginary, except the statement that everybody could get all the liquor he wanted. That was true. Illicit liquor selling was the rule all over the islands. It was sold at every Chinese store. The liquors sold were all of the vilest description. This bill was drawn by one of the strictest prohibitionists of this town, and prohibitionists believe it to be a distinct advance. Drunkenness had decreased where saloons had been

established. When there were none, we had practically prohibition with the result that every Chinese store was a saloon. This bill would enable a man without fear of the law to buy a glass of beer, when as now he buys a bottle of "rooster" brandy which destroys him. In the South of France where wine is made, drunkenness is rare—in the North where brandy is made, it is rife. A single case of selling spirits will, under this law, work the forfeiture of a license. A man will not take that risk. Last year 75,000 gallons of brandy and gin were withdrawn from the Custom House. Most of this goes to the country—it costs from \$3 to 75 c. per dozen quart bottles in bond. This (showing a specimen) is a bottle of "rooster" brandy. A physician tells me that half a bottle of it on an empty stomach is liable to kill a man. It is poison. This is what the natives buy and this is what kills them. I would give them instead of this, good honest beer, pure light wine. The Sheriff of Hawaii tells me if this bill passes he can control the liquor traffic. Now he cannot secure a conviction.

Noble J. M. Horner—This bill is fraught with more evil moral and financial than anything which has been brought in this session. The object of it is to distribute wine and beer for a license of \$250. This is set forth in the first two sections, and the rest of the bill is devoted to the evils which the first two sections are going to produce. The bill will establish fifty saloons, in addition to those we now have. But these are to be good saloons, innocent saloons, different from those we now have, when people will drink without getting drunk. When my intellect is short enough to see that wrong is right, that sin is holiness, that death is life, and life death, I may vote for this bill. I honestly believe that they will be a moral pest, breeding diseases and distress among the people. The past history of saloons (put it down gentlemen), I know them to be evil—only evil. The leopard can't change his spots, nor the Ethiopian his skin. What saloons have always been they will always be—a curse and disgrace to every country that supports them, and these very innocent saloons contemplated in this bill will be no exception to the rule. The \$250 license fee is a small compensation to the people for the loss of time, money and character; for the misery engendered and the lives destroyed by these saloons. This is claimed to be a temperance measure. Statistics tell us that there has been lately a large increase in the consumption of wines and beers and also of crime. I say increased drunkenness and crime have kept pace with increased consumption of wines, beers and ales. At the same time these statistics tell me that the consumption of strong drink has decreased. What then will be the result if these saloons are established all over the kingdom. The report of the Chief Justice shows an increase of 669 cases in the biennial period. Most of the drunkenness does not come before the Courts. In one case a woman got drunk in a grog shop and fell off her horse in the road for the evil-minded to look and laugh at. (Noble Marsden—What did she get drunk on?) Soda and Sarsaparilla, for all we could learn. If soda water does this, what will wine and beer do. In another case three young men in Kulihaele drank and then began pounding each other with sticks of wood. One died. Another young man drank, lay down to sleep and never woke. Another in Hilo went out on to the beach and died. A woman out here by Diamond Head was pounded to death by a drunken husband. None of these cases are in the Chief Justice's report. You will say these were poor Hawaiians. Yes, but once they were innocent and pure. Their children demand protection from us. It is our duty as legislators to protect them. We are the only ones who can put a stop to this. We can do it if we will, and thus save the property, the morals, and the life of the people. There are four strong men sitting in Oahu Prison to-day for killing one poor little Japanese, and the way the law has been vindicated in that case is a credit to civilized man, for it teaches that human life is not to be trifled with from passion, avarice or revenge. Their twenty-seven years of prison life means a cost of \$20,000 and no one will say it is too much for that one life. Who then is to pay the debt for the lives of these scores and hundreds of Hawaiians. We think we know who handled the rope that pinched the life out of that poor Japanese. But who mixed the drinks, opened the slaughter houses, dug the pitfalls, which have taken the lives of all these Hawaiians. There are other agencies besides force and violence men which destroy and one is strong drink. The bottle kills more than the bullet, and it is our duty to protect, as law makers, from this destroyer, as from murderous men. It is not the wise, the strong, the high-minded who need our protection (perhaps not even the members of this Legislature), but the weak minded and young.

Rep. Rickard said the hon. member had spoken about half an hour.

Noble Marsden moved he have all the time he wanted.

Noble Muller moved the House take a recess.

Noble J. M. Horner, continuing, asked whether those who claimed to be champions of the natives would show it by helping to postpone this bill. Let us keep away temptation, make it easy for men to do right, and hard to do wrong. Let us reflect that when we put our hands to pass this bill, we send children to bed without a supper, and their fathers, perhaps, to an untimely grave, like scores of those I have mentioned. Now, Mr. President, I ask with earnestness and energy that this bill be indefinitely postponed.

The House took a recess.

#### Afternoon Session.

The House re-assembled at 1:40.

Noble Walbridge stated that the committee had made every effort to obtain information on the subject of this bill, and had invited everyone interested to be present. The committee believed the bill to be a step in the direction of temperance. The issue of these licenses would tend to prevent the excessive use of spirits. The committee had had an analysis made, which were for some inexplicable reason. The beer averaged only about 4 1/2 per cent alcoholic strength instead of 8 or 9, Bass' Ale only 8 or 9, instead of 19 per cent as reported.

Rep. Knudsen—I know very well that no one here would want anything to harm the country. Noble Marsden wants the good of the country as much as I do but not more. The only difference is he looks to whiskey glasses, and I to water glasses. If the bill only allowed three saloons to each judicial district that would be a hundred. But Noble Marsden is not satisfied with a hundred he wants an unlimited number.

We don't want any liquor saloon in Waimea, we are not fools enough. In Honolulu people may want it but we do not. Is there any one of the fifty-two gentlemen here will say drinking is good for the people? If you want to stop a nuisance, don't stop it with another nuisance. If you want to stop murder you don't commit a murder to stop it. There is no trade in the world so unfair as the liquor trade. It is a mean nasty business. Is beer straight from England, good? No, it is stuffed full of things to tickle your throat with. Does any one want his son or daughter to go into a liquor saloon? It is not a place we can approve of. It is respectable, oh yes, very respectable, but a kind of respectability we don't like to see. I therefore move this bill No. 77 A be indefinitely postponed.

Noble Marsden—In all that has been said about the evils of liquor drinking I fully agree. Noble Horner made a more powerful speech for this bill than I could. Illicit liquor selling is going on all around him on his own plantation, but he does not speak of that. It is better to fill up on beer than rooster gin. If the people who pounded that woman had drunk beer, they would have been asleep and the woman would not have been hurt.

The motion to indefinitely postpone was lost and the bill was considered section by section.

Section 1 was read.

Noble Walbridge moved in line four the word fifteen be changed to nine. An analysis of one of the best American beers averages about 4 1-10 per cent and Bass' Ale about 8 9-10 per cent.

Noble Muller thought the plan of the original bill limiting the number of licenses was better than the committee's bill. He would move it be not more than six in Honolulu and three in every other judicial district.

Noble Baldwin moved the section be indefinitely postponed. He believed that those who supported the bill were sincere, and the bill might decrease liquor drinking, if it were carried out, but his experience convinced him that it would not be carried out. He wished to look at the matter from a practical standpoint. The present law is well drawn, and as good a license law as possible, but what has been the effect. The business is carried on as though there were no limitations on it. Even in cases of bold open violation convictions were not obtained. I feel certain that these saloons will sell hard liquor and that this rooster stuff will be sold there. We know very well that people go into soda water shops kept by Chinese, and come out drunk. How much easier will it be for these saloons to sell liquors than for the coffee shops. There is no anti-screen law. The practical result will be that licenses outside of Honolulu will be beer and wine licenses, and that every kind of liquor will be sold. If the police outside would do their duty, if we had an efficient detective force, it would be different. I object to a saloon in itself even if only beer or wine are sold. The saloon is a place which draws the young. It is a social convivial place: a sort of school to educate the young in the use of liquor. Some one may say it is better to bring children up to the use of light wines, etc., than liquor. But they will not stop there. In this country, where there is so much of the rooster article, it simply gives them a taste for harder liquor. I do not take much stock in the argument that the illicit stock will be stopped. It will go on just the same. I hope that all lovers of the Hawaiian race who as we know are easily led, will vote against this bill.

Noble Marsden—It is not expected that the whole country will be flooded with licenses for the sale of light wines. The present liquor law does not contain the provisions of this. It permits the sheriff to go in without a search warrant and if he finds a bottle of liquor on the place the dealer forfeits a thousand dollars and loses his license. No one will dare to keep liquor on the premises with such a penalty hanging over him. I move the section pass.

Rep. Brown did not favor the bill as it stands. He would amend by providing that only three licenses could be issued for each district, and that Honolulu, Waialua and Hilo be exempt. It is not just to the retail dealers here who pay \$1,000. A large part of their trade is in beer and light wines. If it should be objected that the whole of Honolulu should not be excluded, let it be within a certain radius, say of one or two miles.

Noble Kanealii was not in favor of the bill. He had been instructed by his constituents not to vote for any measure of the kind. I move to amend so that the Minister shall upon the petition of 1,000 residents of a district issue a license. He did not know why a saloon should be thrust upon the people of a district if they do not want it. The matter was under pretty good control in his district and they had peace and quietness there in consequence.

Rep. White asked whether Hackfield & Co. had not 15,000 cases of Monogram gin in the Custom House now?

The President—You have no right to ask any such question.

Rep. White had listened with great pleasure to Noble Horner's speech this morning. It far exceeded Hellenbach. If he himself possessed such gifts he would turn temperance lecturer. He had at one time used a good deal of liquor, but had stopped five years ago. But if beer is such a good thing I may begin again. Beer certainly seems to have agreed with the hon. Noble from Hamakua (Noble Marsden). Our sergeant-at-arms too, I think, must use it. He favored passage of section 1 as amended by Rep. Brown.

Noble Isenberg protested against the hon. member talking about Hackfield & Co. He had no right to do so, and it was a shame that it should be allowed. He had been around a good deal since he had come back, and he must say that the spirits, wine and beer were the ruin of the Hawaiians. A great deal of wine, etc., was drunk. The Japanese drank a great deal, and got as drunk on California wine as on gin. He would vote himself for a bill to prohibit all liquor. If these saloons were licensed, all kinds of liquor would be sold. This bill would not help any. There was a saloon in Waialua, but as much illicit selling went on as before. The keeper of the saloon said it could not be prevented. As long as all the selling could not be stopped, this bill would do no good, and he should therefore not vote for it.

Rep. R. W. Wilcox thought it was a matter which this House should consider very carefully.

Rep. Nawahi moved to amend by adding "that no more than two licenses shall be granted for districts where there is no wholesale license."

Noble J. M. Horner said all agreed on drunkenness. The difference was as to the way to check it. His opponents thought the way was to open another

door, he thought it was to shut those that were open as fast as possible. One thing which had been forgotten was the petitions which were here from 500 to 600 natives asking that no more licenses be granted. One of these petitions was from Hamakua. The people up there did not want the hon. noble's bill. They had petitioned against it. These petitioners should be considered. They wanted their children saved. When he was standing for election, the Portuguese said to the natives, "You vote for Horner and you will get no more liquor." They said, "We like rum, but it isn't good for us," and I bless them for it, and shall try to do them all the good I can. The deputy sheriff said to Noble Marsden that this bill would enable him to control the traffic. But the sheriff told me if the bill passed he would need twenty-five per cent more police to keep order. There is the difference.

Minister Brown had as much horror of excessive drinking as any one. But he did not think the bill would tend to anything of the sort. Children had been spoken of. They were not in the habit of visiting saloons, and a dealer would not expose himself to a \$1,000 fine for the sake of selling 25c worth of liquor to a child. This bill was very carefully guarded, about as carefully as a bill could be. Anything which would prevent the drinking of the vile stuff now in such general use among Hawaiians would be a great benefit.

Rep. Knudsen said the minister spoke as he knew, but he did not think he was right at all. No liquor ought to be sold against the will of the people of the district. He would amend by requiring the applicant to present to the Minister of the Interior a petition from a majority of the voters of the district, asking that a license be issued.

Rep. Brown said he would adopt Noble Burchard's amendment.

Rep. Kahookano favored the amendment of Noble Burchard, viz., that no license should be issued within two miles of any existing saloon. He would also strike out the words, in his discretion.

Noble Von Tempsky moved the previous question. Carried.

The motion to indefinitely postpone was lost, 21 to 16.

Noble Marsden said he would accept the amendment of Rep. Knudsen.

Noble Kanealii withdrew his amendment in favor of Rep. Knudsen's.

Noble Baldwin moved to amend by requiring a petition signed by two-thirds of all the voters of the district.

Noble Walbridge's amendment passed. The combined amendment of Noble Burchard and Rep. Brown passed.

Rep. Knudsen's amendment passed. The words, in his discretion, were stricken out.

The amended section passed.

The House adjourned at 3:55 p.m.

#### Land For Sale.

A PIECE OF LAND SITUATE at Kulaakua, District of Kona, Island of Oahu, lying along mauka side of Beretania street, between Mrs. Rowe's place and Napoleon's. This is a suitable piece of land for residence, having wooden houses thereon. Further particulars can be had of S. M. Kaaukai, over Bishop's Bank, Honolulu, Aug. 6, 1890. 1335 31-2m

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